R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

The Applicants' thank Examiner Nguyen for the indication of allowable (claims 6 and 7) and allowed (claims 15-28) matter.

SUPPORT FOR THE CLAIM AMENDMENTS

Support for the claim amendments and new claims may be found in the application, for example, in claims 6, 15 and 22, as originally filed. Thus, no new matter has been added.

STATEMENT OF COMMON OWNERSHIP

The present application and U.S. Publication No. US 2004/0085233 A1 for Linzer et al. were, at the time that the invention of the present application was made, commonly owned by LSI Logic Corporation, Milpitas, California.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1, 8, 12 and 13 under 35 U.S.C. §102(e) as being anticipated by Linzer et al., U.S. Publication No. US 2004/0085233 A1 (hereafter Linzer), is respectfully traversed and should be withdrawn.

Linzer concerns a context based adaptive binary arithmetic CODEC architecture for high quality video compression and decompression (Title).

In contrast, claim 1 provides a step for generating an intermediate bitstream having an intermediate encoded format by converting an input bitstream having an input encoded format and an input order. However, the Office Action fails to provide evidence establishing a step for converting an input bitstream having an input encoded format to an intermediate bitstream having an intermediate encoded format as presently claimed. Therefore, *prima facie* anticipation has not been established.

Furthermore, the Office Action has failed to establish that a bitstream DATA_IN (asserted similar to the claimed input bitstream) has an input order as presently claimed. Therefore, *prima facie* anticipation has not been established.

Claim 1 further provides a step for storing the intermediate bitstream in the input order. The Office Action (i) asserts that a signal DATA_IN is similar to the claimed input bitstream having the input order, (ii) the signal COMP_A_OUT is similar to the claimed intermediate bitstream and (iii) cites column 2, paragraph 0016 in rejecting the storing step:

> [0016] The circuit 100 generally comprises a circuit 102 and a circuit 104. The circuit 102 may be implemented as a memory circuit. The circuit 104 may be implemented as an encoder, a decoder or an encoder/decoder (CODEC) circuit (or block). The circuit 102 may comprise a first portion (e.g., BUFFER1) and a second portion (e.g., BUFFER2). In one example, BUFFER1 and

> BUFFER2 may be implemented as sections of a single memory device. Alternatively, BUFFER1 and BUFFER2 may be implemented as individual memory devices. In one example, BUFFER1 and BUFFER2 may be implemented as first-in first-out (FIFO) memories.

However, the above paragraph does not appear to discuss the signal COMP_A_OUT having the same input order as the signal DATA_IN as alleged in the Office Action. Therefore, *prima facie* anticipation has not been established.

Claim 1 further provides a step for generating an output signal having an output order by decoding the intermediate bitstream. In contrast, the Office Action has failed to establish that a signal DATA_OUT (asserted similar to the claimed output signal) is generated by decoding a signal COMP_A_OUT (asserted similar to the claimed intermediate bitstream). Therefore, *prima facie* anticipation has not been established.

Furthermore, the Office Action has failed to establish that the signal DATA_OUT has an output order. In particular, the Office Action cites column 2, paragraph 0016 of Linzer again (reproduced above) in rejecting the generating an output signal step. However, the cited paragraph does not appear to discuss the signal DATA_OUT having an output format as presently claimed. Therefore, *prima facie* anticipation has not been established.

Furthermore, the Office Action presents conflicting assertions for how Linzer allegedly anticipates the claimed intermediate bitstream. In particular, the Office Action asserts

that the claimed intermediate signal is similar to both the signal COMP_A_OUT (page 2, last line of the Office Action) and the signal COMP_B_IN (page 3, line 6 of the Office Action). Therefore, the Examiner is respectfully requested to either (i) identify one of the signals COMP_A_OUT or COMP_B_IN as similar to the claimed intermediate signal, (ii) explain why one of ordinary skill in the art would consider the signals COMP_A_OUT and the COMP_B_IN to be the same signal or (iii) withdraw the rejection. Claim 8 provides language similar to claim 1. As such, claims 1 and 8 are fully patentable over the cited reference and the rejection should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 2-5, 9-11 and 14 under 35 U.S.C. §103(a) as being unpatentable over Linzer in view of MacInnis, Publication No. U.S. 2004/0066852, is respectfully traversed and should be withdrawn.

The Linzer reference is not valid prior art under 35 U.S.C. §103(c) as amended by the American Inventors Protection Act (AIPA) of 1999. "Subject matter developed by another person which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned

by the same person or subject to an obligation of assignment to the same person." (35 U.S.C. §103(c).) The Linzer reference was owned by LSI Logic Corporation at the time of invention of the present application. The present application is also owned by LSI Logic Corporation. Therefore, the Linzer reference is disqualified as prior art for a 35 U.S.C. §103(a) rejection via §102(e) and the rejections should be withdrawn.

In particular, the present application was filed on June 25, 2003, which was after the November 29, 1999 effective date of the AIPA. The present application is assigned to LSI Logic Corporation. The assignment is recorded in the United States Patent and Trademark Office at reel/frame 014939/0430. Therefore, the amendment to 35 U.S.C. §103(c) by the AIPA of 1999 applies.

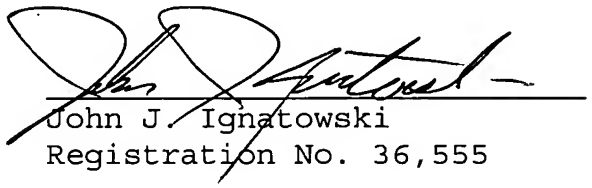
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



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